

UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

In re

Case No.

Debtor(s)

MOTION TO AVOID JUDICIAL LIEN

This day come the Debtor(s), by their attorney, and move the Court, pursuant to 11 U.S.C. § 522(f) to avoid a certain judicial lien recorded at Book Number _____, Page Number _____, in _____, on _____, 20____.

(Court in which lien is recorded) (date recorded)

The Debtor(s) further represent as follows:

1. That the Debtor(s) are the owners of certain real property which is more fully described in Schedule B-1 of their petition, which property they are entitled to exempt under 11 U.S.C. § 522(b) and § 38-10-4 W. Va. Code Ann.;

2. Debtor(s) allege that the judgment will interfere with their ability to obtain a fresh start subsequent to bankruptcy;

3. That the Debtor(s) have exempted the property as set forth in Schedule B-4 of their petition;

4. That the Creditor, (Name) _____
(Address) _____
(City,State,Zip) _____
holds a perfected judicial lien which impairs an exemption to which the debtor(s) are entitled;

5. That the Creditor is neither an infant, an incarcerated convict, nor an incompetent person.

Wherefore, the Debtor(s) move the Court for an order permitting the subject lien to be avoided according to law.

DATE:

(Signature of Debtor's Attorney)